

**IN THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF WEST VIRGINIA**

HUNTINGTON DIVISION

CHRIS D. JONES,

Plaintiff,

v.

CIVIL ACTION NO. 3:15-07184

FBI and U.S GOVT.,

Defendants.

ORDER

This action was referred to the Honorable Cheryl A. Eifert, United States Magistrate Judge, for submission to this Court of proposed findings of fact and recommendation for disposition, pursuant to 28 U.S.C. § 636(b)(1)(B). The Magistrate Judge has submitted findings of fact and recommended that Plaintiff's Application to Proceed Without Prepayment of Fees and Costs (ECF No. 1) be denied, Plaintiff's Complaint be dismissed for failing to state a claim for which relief can be granted (ECF No. 2), and this action be removed from the docket of the Court. Plaintiff objects to the Findings and Recommendations.

In the Findings and Recommendations, the Magistrate Judge determined that Plaintiff's claims must be dismissed because both the United States and the FBI are immune from suit and, to the extent Plaintiff asserts claims that are tortious in nature, he failed to exhaust his administrative remedies under the Federal Tort Claims Act. In addition, the Magistrate Judge found the Complaint failed to state a plausible claim and should be dismissed as frivolous.

In his objections, Plaintiff claims that he is entitled to discovery on his claims. He further asserts that he will establish his claims are plausible because he will produce physical evidence that the Government planted “a military grade thumper bomb” behind his house and only the Government would have access to such a device. *Objections to Proposed Findings and Recommendations*, at 1, ECF No. 7. He further argues that he had to file an Application to Proceed Without Prepayment of Fees and Costs because “the secret society owns all businesses, and if I get work they’ll have their secret society people messing with you.” *Id.*

Upon *de novo* review, the Court **FINDS** Plaintiff’s Objections are without merit. Accordingly, the Court **DENIES** Petitioner’s objections, **ACCEPTS** and **INCORPORATES** herein the Findings and Recommendations of the Magistrate Judge, **DENIES** Plaintiff’s Application to Proceed Without Prepayment of Fees and Costs, and **DISMISSES** the action.

The Court **DIRECTS** the Clerk to send a copy of this Order to counsel of record and any unrepresented parties.

ENTER: February 4, 2016



ROBERT C. CHAMBERS, CHIEF JUDGE